

# United States District Court District of Massachusetts

STEVEN J. KELLEY,  
as Trustee of CC Realty Trust,  
Plaintiff,

v.

CIVIL ACTION NO. 2005-10602-RBC<sup>1</sup>

VERMONT MUTUAL INSURANCE COMPANY,  
C & S INSURANCE COMPANY, INC.,  
Defendants.

## AMENDED JUDGMENT<sup>2</sup>

COLLINGS, U.S.M.J.

The case came on before the Court, the Honorable Robert B. Collings, United States Magistrate Judge, presiding. In accordance with the Memorandum and Order on Plaintiff's Motion to Amend the Complaint and Remand (#7) entered this date allowing the plaintiff to add C & S Insurance

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<sup>1</sup>

With the parties' consent this case was referred and reassigned to the undersigned for all purposes, including trial and the entry of judgment, pursuant to 28 U.S.C. §636(c).

<sup>2</sup>

The Amended Judgment corrects a clerical error in the Judgment (#13) in which an incorrect name is stated for the newly-added defendant. See Rule 60(a), Fed. R. Civ. P.

Agency, Inc.,

IT IS ORDERED AND ADJUDGED:

Judgment remanding this case to the Norfolk Superior Court, Commonwealth of Massachusetts, since with the addition of C & S Insurance Agency, Inc. as a party, diversity of citizenship no longer exists, and there is no basis upon which the federal court can assert jurisdiction.

SARAH ALLISON THORNTON  
Clerk of Court

By: /s/ Kathleen Dolan  
Kathleen Dolan  
Deputy Clerk

Dated at Boston, Massachusetts  
this 27<sup>th</sup> day of December, 2005.